

W. Harman Nicodemus, a son of Robert C. Nicodemus, who having predeceased his Mother, America E. B. Nicodemus, his death occurring February 22nd, 1916; and Isabella Louise Nicodemus and Eugenia Browning Nicodemus, children of the said Robert C. Nicodemus by a different wife, the said Robert C. Nicodemus having married twice, the said last Two named heirs being residents of Baltimore City, Maryland.

THIRD: That heretofore, to-wit: on the 9th, day of June 1919, the said America E. B. Nicodemus executed a deed which purported to transfer to your Petitioner, W. Harman Nicodemus, the real estate mentioned in these proceedings and the personal property of the said America E. B. Nicodemus, which ^{deed} was subsequently vacated and annulled in No. 10081 Equity, by Decree of the Circuit Court for Frederick County dated the 14th, day of August 1920, wherein said Decree restrained the said W. Harman Nicodemus from selling, conveying, disposing of or transferring any interest in and to the real estate mentioned in these proceedings, as well as the personal property conveyed by said deed.

FOURTH: That differences having arisen in the settlement of the estate of America E. B. Nicodemus, a contract was entered into by and between the parties mentioned in this Petition, which contract is filed in No. 10081 Equity, governing the terms of the distribution of the proceeds from the sale of the real estate mentioned in this cause, as well as the personal property heretofore referred to.

FIFTH: That said real estate is incapable of division amongst the parties entitled thereto without great loss and injury and it would be to the best interest and advantage of all the parties that said real estate be sold under a decree of your Honorable Court and the proceeds distributed according to the interest of the respective parties.

TO THE END THEREFORE:

FIRST: That a Decree may be passed by your Honorable Court decreeing the sale of the real estate mentioned in the foregoing proceedings and distributing the proceeds arising from said sale amongst